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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KRISTEN B. NESTLER,

Plaintiff,

-against-

CHARTWELLS DINING SERVICES,
COMPASS GROUP, and PAUL KROUSE,

Defendants.

1:02 CV 1115 (TJM/RFT)

NOTICE OF APPEAL

Notice is hereby given, pursuant to Federal Rule of Appellate Procedure 4, that Defendants Chartwells Dining Services, Compass Group USA, Inc. (referred to in the caption as “Compass Group”),¹ and Paul Krouse (collectively referred to herein as “Defendants”) hereby appeal to the United States Court of Appeals for the Second Circuit from the final judgment entered in this action on February 4, 2005, as well as the Decision and Order dated January 19,

¹ Chartwells Dining Services is a division of Compass Group USA, Inc., referred to herein as “Compass Group.” The parties agreed that Compass Group was the employer for purposes of this action.

2005, wherein the United States District Court for the Northern District of New York denied Defendants' motion for judgment as a matter of law under Federal Rule of Civil Procedure 50.

Dated: New York, New York
March 2, 2005

LITTLER MENDELSON,
A Professional Corporation

By: 

Andrew P. Marks (Fed. Bar. No. 510142)
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TO: Jeffrey J. Sherrin, Esq.
O'Connell and Aronowitz
54 State Street
Albany, New York 12207-1885

**CERTIFICATE OF SERVICE
BY MAIL**

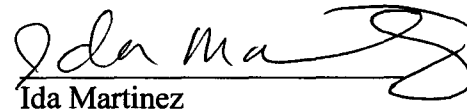
Ida Martinez, hereby declares and states:

1. I am not a party to this action, am over the age of eighteen years, and work in New York, New York.
2. On March 2, 2005, I served true and correct copies of Defendants' Notice of Appeal, by First-Class Mail, by placing said copy into a sealed envelope with postage affixed thereon into an official depository under the exclusive care and custody of the United States Postal Service, upon:

Jeffrey J. Sherrin, Esq.
O'Connell and Aronowitz
54 State Street
Albany, New York 12207-1885

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 2, 2005, in New York, New York.


Ida Martinez